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Attorneys for Plaintiffs, SHARON SMITH and AL SMITH

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX)	Case No. C-07-1755 CRB
MARKETING SALES PRACTICES AND)	
PRODUCT LIABILITY LITIGATION)	MDL NO. 1699
)	District Judge: Charles R. Breyer
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SHARON SMITH, individually, and AL)	
SMITH, spouse,)	
)	STIPULATION AND ORDER OF
Plaintiffs,)	DISMISSAL WITH PREJUDICE
)	
vs.)	
)	
PFIZER, INC., PHARMACIA)	
CORPORATION, AND G.D. SEARLE LLC,)	
(FKA G.D. SEARLE & CO.),)	
Defendants.)	

Come now the Plaintiffs, Sharon Smith and Al Smith, and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action **with prejudice** with each side bearing its own attorneys' fees and costs.

DISMISSAL

1 DATED: August 31, 2009

2 REICH & BINSTOCK, LLP

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4 By:

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10 Attorneys for Plaintiffs

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13 DATED: Oct. 22, 2009

DLA PIPER LLP (US)

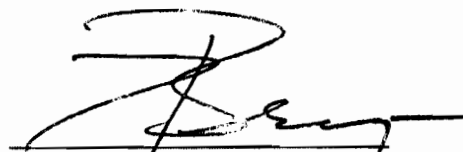
14
15 By: /s/

Matt Holian

16 Attorneys for Defendants

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19 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
20 **IT IS SO ORDERED.**

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22 Dated **OCT 28** 2009

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Hon. Charles R. Breyer
United States District Court

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DISMISSAL